

Illinois U Library

APRIL 21, 1953

762nd BROADCAST

Town Meeting



BULLETIN OF AMERICA'S TOWN MEETING OF THE AIR

Broadcast by 310 Stations of the ABC Radio Network



U. S. Pat. Off.

Reg. U. S. Pat. Off.

Are Our Immigration Laws Too Restrictive?

Moderator, GUNNAR BACK

S p e a k e r s

GEORGE SHUSTER

WILLIS SMITH

—★—
COMING

—May 5, 1953—

Can We Afford a "Trade Not Aid" Policy?

Published by THE TOWN HALL, Inc., New York 36, N. Y.

VOLUME 18, NUMBER 48



\$5.00 A YEAR, 15c A COPY



Town Meeting

VOL. 18

No. 48



Are Our Immigration Laws Too Restrictive?

★
The Broadcast of April 21, 1953, from 9:00 to 9:45 p.m. E.S.T., over the American Broadcasting Company Radio Network, originated from the high school auditorium in Nyack, New York, under the auspices of the Rotary Club and the American Association of University Women.

★
The account of the meeting reported in this Bulletin was transcribed from recordings made of the actual broadcast and represents the exact content of the meeting as nearly as such mechanism permits. The publishers and printer are not responsible for the statements of the speakers or the points of views presented.

THE SPEAKERS' COLUMN

SENATOR WILLIS SMITH—Democrat of North Carolina. Senator Smith was born in Norfolk, Virginia in 1887 and was educated at the Atlantic Collegiate Institute, Trinity College (now Duke University) and Duke University Law School. He was admitted to the North Carolina Bar in 1912, after which he joined the firm of Smith, Leach and Anderson. Mr. Smith was elected a member of the North Carolina House of Representatives for three terms beginning in 1927, and in 1944 was a delegate to the Democratic National Convention. Before being elected to the U. S. Senate in 1950, Mr. Smith was twice appointed by the President to observe and supervise U. S. judicial and legal contacts with foreign nations. As a member of the Senate, he quickly became one of the most respected members of the Judiciary Committee. This resulted in his being selected last year to head two important subcommittees—one to examine the legal aspects of the highly controversial presidential seizure of the steel mills, the other, an investigation of the Alien Property Custodian's office.

As a member of the Senate's Internal Security Subcommittee, Senator Smith has devoted much time and work to ferreting out Communists in government. He participated in the hearings involving Owen Lattimore and John Carter Vincent. Recently he presided over hearings in New York City when disclosures were made that American Communists were employed by the United Nations.

Senator Smith was chairman of the U. S. delegation of Congressmen and Senators attending the Inter-parliamentary Union in Bern, Switzerland last August.

DR. GEORGE N. SHUSTER—President of Hunter College. Born in Lancaster, Wisconsin in 1894, Dr. Shuster is a graduate of Notre Dame (A.B. and A.M.) and Columbia (Ph.D.) Universities. In addition, he studied at the University of Poitiers and the Hochschule fuer Politik, Berlin. After serving as Chairman of the Department of English at Notre Dame, he became Associate and then Managing Editor of the *Commonweal*, remaining in that position for twelve years. He resigned to become a Fellow of the Social

(Continued on page 14)

Town Meeting is published weekly at 32 S. Fourth St., Columbus 15, Ohio, by The Town Hall, Inc., New York 36, New York. Send subscriptions and single copy orders to Town Hall, New York 36, N.Y.

Subscription price, \$5.00 a year, (Canada, \$6.00); six months, \$3.00, (Canada, \$3.50) eight weeks, \$1.00, (Canada, \$1.20); 15c a single copy. Entered as second-class matter May 9, 1942, at the Post Office at Columbus, Ohio, under the Act of March 3, 1879

Copyright, 1953, BY THE TOWN HALL, INC.

Are Our Immigration Laws Too Restrictive?

Announcer:

Tonight's Town Meeting comes to you from Nyack in Rockland County, New York, under the joint auspices of the Rotary Club and the American Association of University Women. This beautiful Hudson River Valley town is the location of the internationally known Reed Farm which was founded and organized by Countess Tolstoy as a training ground in Americanism and democracy for refugees and displaced persons of Slavic origin from behind the Iron Curtain. The Nyack Rotary Club concerns itself with numerous charitable projects. It currently is contributing to an international student exchange fund which will enable 100 students from all over the world to study in this and other countries.

The American Association of University Women, founded in 1882, has been an active force in assuring wider opportunities for women desiring a higher education. This association has as its goal the advancement of practical educational work. And now to preside as moderator for tonight's discussion, here is ABC's well-known Washington news reporter, Gunnar Back.

Moderator Back:

Thank you very much. Not too far from this high school auditorium in Nyack, New York, stands the Statue of Liberty. The inscription on that symbol of our proud melting pot tradition begins this way: "Give us your tired, your poor, your huddled masses yearning to breathe free." Well, they came through the years, these masses. They were poor, many of them, but not tired, for they built a land for us from the East

Coast to the West. Today there are other millions of homeless across the seas who look in our direction again. But the times have changed with us and the times have been cruel to people again all over the world. But they can no longer come in those masses of yesteryear.

We have today the McCarran-Walter Immigration Act of 1952, and around it has grown a great controversy. There has been accepted the idea of needful restriction, but there has been controversy around the Act itself. It's the law of the land, but its opponents still say it's wrong in many respects. So tonight in Town Hall we debate: "Are Our Immigration Laws Too Restrictive?" That question will come up in Congress again in this session soon. President Eisenhower said that the McCarran-Walter Act should be changed in some respects. Dr. George N. Shuster, President of Hunter College, has some ideas on what those changes should be. He will tell you what they are tonight.

An interesting listener, as he talks, will be Senator Willis Smith, Democrat of North Carolina, a member of the Senate Judiciary Committee. Senator Smith happened to be in on some of the writing of the McCarran-Walter Act. He is a lawyer and a member of the McCarran Subcommittee on Internal Security. Dr. Shuster, head of Hunter College of New York, a distinguished educator, has served the Government, too, on frequent missions. For eighteen months he was Land Commissioner for Bavaria under the occupation authority of Germany. He knows from first hand about the desire of people overseas to come to our shores.

Senator Smith recently returned from a survey in Europe of the problem of the homeless people there. He, therefore, will have firsthand observations too. But first Dr. Shuster, Are Our Immigration Laws Too Restrictive?

Dr. Shuster:

Mr. Back, I think the first thing to observe is that the McCarran-Walter Act is not all bad. Some good things are to be said about it. First, it is a magnificent job of codification. It brings all the older legislation together. Second, in some important respects it represents an advance over previous legislation. And third, of course, we must bear in mind that the Congress can only be expected to effect compromises in matters so difficult and complex as this. Nevertheless, I am profoundly convinced that the Act needs amendment in several important respects.

First, it retains the outmoded national origins quota relationship which restricts unnecessarily, I think, our immigration to certain races and peoples and does not bear in mind that we have outlived that. Secondly, it does not take into account sufficiently the fact that the world is now crowded with very fine people who have had, perforce, to cross the boundary lines which separate the slave states of Russia from the West. And third, it imposes unnecessary restrictions of an administrative, and also of a personal, character on not only the immigrant who reaches these shores but also on people who apply for visas, and I think therefore that in these three important respects it badly needs amendment.

Mr. Back: Thank you very much, Dr. Shuster, for stating your position and now, Senator Willis Smith, you have heard Dr. Shus-

ter and as I understand it you in many respects tonight defend the status quo. So let's hear from you, whether or not you think our immigration laws are too restrictive.

Senator Smith:

I think, Mr. Back, that we must consider first a law. What is the purpose and the objective of immigration? Now we have built here on this continent of ours—with a very small proportion of the world's people, a very small number indeed, and on a very small section of the earth's surface—a great nation, the greatest on earth. It was started many years ago, the history of which you know as well as I do, and it was started by determined people who came to this country in search of liberty and freedom, religious and otherwise. They came because they believed in this new land. They could mold a different kind of civilization than that from which they fled.

They came because they believed in one of those things stated in the constitution, the inalienable rights of men. They came with a different concept, and this nation started out with a different concept. We do not believe here that the power comes down from above us—from kings and emperors and queens. No, we believe, under our constitution, in the tradition of our government, that the power comes up from the people, that the power is in the people, that, therefore, the people have a right to say in this country what they wish to have done in the way of government that is to control them and their families and progeny for years to come.

So I think when we open up on this subject of immigration we must think what is the object of immigration. I know it has been said many times that all of us are

immigrants, or sons and daughters of immigrants, and that is true to an extent, but we must remember that in the beginning of our history the people who came to these shores came with pretty much the same idea of freedom and religious liberty, determined to build here a nation. But later, after this nation got a great start, there began a great influx of people from other sections of the world who had given naught to this country, to its founding or to its idealism.

Now we received them through the years under the immigration laws that we have had, and for a while with no immigration law at all, and now we have a nation whose civilization is at the top. I believe for one that the basic policy of immigration should be what is good for America, what is good for this nation of ours. And secondly, what is good for the immigrant who comes to us. Now I know we all have a missionary spirit, and being a Methodist, of course I believe not only in missionaries but also in backsliding and then coming back to the fold. But we must think, what is the function of our immigration laws?

Now I think we should receive to our shores those who come from other lands, and I think we should have asylum as we have offered, but should we not consider first of all our national character and our national good and what is good for America? So upon that theory that we should think of these problems in terms of what is good for our nation, I think that we should base this discussion on whether or not this McCarran-Walter Act, so called, is a good Act, good for America, and good to the spirit in which we receive immigrants from other lands.

Mr. Back: Thank you, Senator

Smith. Dr. Shuster, you have been asked to consider from the point of view whether it is good for the immigrant, the McCarran-Walter Act, and whether it is good for us. Will you pick it up there?

Dr. Shuster: Yes, I think the Senator has made some excellent points. Let me ask him a question. I believe that one of the first immigrants to these shores was a gentleman named Christopher Columbus, who to the best of my recollection was born in Genoa. Now under your national origins quota act of the present time the dice are loaded against all the countrymen of Christopher Columbus. That is, about 12 times as many immigrants are permitted under this act to enter the United States from Great Britain as are admissible from Italy. Now, then, I would like to lead the discussion back if I may to that question.

Why do we retain in the McCarran-Walter Act an attitude toward these people who are coming here with the same ideals that your ancestors and mine entertained? Why is it that we say to them today, in the year 1953, "Because you were born in Italy you have just one-twelfth of the chance to come to the United States as you would have if you were born in Britain?" Secondly, the people who were born in Britain don't want to come anyhow. Therefore, you simply put into your law quotas which are there for no reason which I can discern. The only conclusion to which I can come is that they are there because somebody decided that we didn't want any more immigrants than we could possibly acquire through whatever restrictive means we could impose.

Senator Smith: Dr. Shuster, I think you've got a totally wrong

misconception of the McCarran-Walter Act or of the predecessor acts which have been governing our immigration policies. Why, of course Christopher Columbus did come, and if his people from his land had followed him to this country and tried to build up this country we might have been altogether Italian today. But they didn't do it. They laid down on Christopher and didn't come over to take care of the situation. Now the truth about the matter is we know that the reason England and Great Britain have the largest quota is because the people came from that section of Europe.

They came with their institutions, they came with their beliefs in the Divine Being. They came with their beliefs in churches and schools and courts, and those institutions we hold most dear and they developed those over years and years and years. Now to be sure there were some other nations that came along and helped them, but that is the reason the English have the biggest quota—because they came and worked in this land and built it up. So the law says, not to the English particularly but to any nation, that we are going to allow you to bring in each year a certain proportion based upon the number of your nationals that were living in America, I believe, in 1920 or 1924. The quota act was started about that time.

Mr. Back: Dr. Shuster, are you going to accept the thesis that that is the way it should be determined—who came first continues to come in greater number?

Dr. Shuster: No, I don't accept that thesis at all, Senator. I am sorry to differ with you on so important an issue, but what you are saying is this: that the census of the year 1920 forms an eternal

basis on which you can establish a judgment as to who is to enter this country. Now let me point out . . .

Senator Smith: No virtue in 1920, you know. The immigration people who advocated this law first said 1890, and there was opposition to that; they said 1910 and there was opposition to that; and of course whatever year they had adopted there would have been opposition to that.

Mr. Back: Dr. Shuster, what year would you propose? Let's see if there is opposition to that.

Dr. Shuster: 1950. And I think all the defects of the McCarran-Walter Act can be removed.

Senator Smith: Then you would rule out and discriminate against those people who helped to build this country from the beginning and take the figures for 1950 and apportion your immigrants on the number of those in the country in 1950.

Dr. Shuster: Pardon me for just a minute. I think that you are under a misapprehension, Senator. In the first place, I would like to review a little bit of American history for you. That is, one of the peoples who came here first is responsible for the fact, in large measure, that we are celebrating the ter-centenary of New York, namely the Dutch people. And the only reason they didn't come in larger numbers was because other people didn't let them come. But now you mean to tell me that . . .

Senator Smith: You're not going to blame that on the McCarran-Walter Act?

Dr. Shuster: No, but I am going to blame this on them, that the Dutch quota of today, in an hour which is desperately bad for the Dutch, when their people are com-

ing back from Indonesia and from various other parts of the world which they helped to civilize, continues to be based on the year 1920. Now my proposal is not that we are going to keep the glorious people out who first started this country, of course not. My proposal is a very simple one. In your legislation you have a number of about 60-odd thousand people from the British Isles who can come here, under your system, in honor of all the illustrious achievements that they accomplished in North Carolina and even in Connecticut, from where I come. Now all I am saying to you, don't change those quotas if you feel so sentimentally attached to what was done in this country prior to 1880. I think some things were done since.

Senator Smith: You know, Doctor, don't get me exactly wrong on the English business. I admire the English institutions. That's what's made us a stable people, but I may say that I am part French you see, so I guess you would say the French are discriminated against under this quota system. I have heard that said.

Dr. Shuster: This is what I propose. Leave the quotas where they are, but simply say that the ones that are not used should then be redistributed to peoples on the basis of the 1950 census.

Senator Smith: Well, then as I understand it, what you are saying is that the quota system is all right if we would just change the law so as to say that if England, Scotland, or any of the Scandinavian countries don't use up their quota in 1950, then we will reapportion that unused quota to some other nation of your choosing next year.

Dr. Shuster: Oh, no. Now wait a minute.

Senator Smith: Well, how would we apportion that?

Dr. Shuster: If you ask me what I think ought to be done, then I would say that we ought to base our quotas without national origins but area-wise on the basis of the 1950 census.

Senator Smith: Who would determine that? What officials?

Dr. Shuster: I should think that the officials who determined the quotas that are in the McCarran-Walter Act might also determine those.

Mr. Back: Well, now let me come in for a moment for clarification. I think it is agreed that about 41,000 Britishers don't come here who could if they wanted to. That leaves an unused portion of 41,000 each year.

Senator Smith: That's at the present time.

Mr. Back: Yes, at the present time. Your suggestion, Dr. Shuster, was that those 41,000 opportunities be distributed to, let's say, Greece, which has only a quota of 307 a year. Senator Smith, what was your question? Who would decide where those 41,000 openings go?

Senator Smith: How it would be applied? I was trying to find out what Dr. Shuster thought about that.

Dr. Shuster: My solution of the problem would be a very simple one. I would establish a quota in toto, and then simply say this, that the immigration opportunities are to be made available to European peoples on the basis of their present populations, which is just as simple as anything can be and would get the McCarran-Walter Act out of two thirds of the maze in which it is lost. Now what's the matter with that?

Senator Smith: Well, I think the trouble with that would be that you would ignore the possibilities that this year a nation with a large quota might not use it, but next year would wish to use it. We would therefore be taking in a larger number of the nation that had a surplus of immigrants that wanted to come a particular year without allowing for the possibility that the next year the other nation might need all of its quota.

Dr. Shuster: You see at the present time you're running very little risk on that, I assure you, because you are only permitting, for example, 2,000 Italians to come in.

Senator Smith: Well, that seems to be one of the difficulties, and I regret that we pick out a particular nation. I was in Italy last year and the year before. I visited the refugee camps, right down into the camps in the woods and I saw the people in these refugee camps. Now I know that we could not take care of our Italian friends if we gave them all the quotas of all the nations from Europe. We can't do it.

There are 20 million more people in Italy today than they can very well take care of. We can't take care of them, and to some extent that is true in Greece, and I was there. We cannot do justice by the people of the world. We've just got to do the best we can, and I know of no better way than to have an automatic quota system that will not allow mistakes to be made or partiality shown by you or me or any other advocate of a particular group.

Mr. Back: Gentlemen. Yes, Dr. Shuster.

Dr. Shuster: I was merely going to say this. That partiality is the one thing I object to in the McCarran-Walter Act, and I don't see

how you can possibly deny that the most egregious kind of partiality is manifested there. What you have done in that Act is to fall back upon quotas which were put in there in the first place because people were race conscious in this country. And now you want to keep those things in there. (*Applause*) Why isn't a quota system which is based on the present population of Europe just as automatic as the one that is in the McCarran Act?

Senator Smith: The difference between us is that we started out, that is to say the United States Congress in 1924, to pass what was a fair immigration law. They said if we put it in the hands of a committee or commission or what not there is bound to be some partiality shown, dependent upon the human feelings for one race or another, and therefore they said, we will take all the nations who now have people in America and we will portion out the number and say they should get their proportionate representation of immigrants coming to America.

That is automatic; nobody can change that. There can't be any conspiracy or corruption; it's automatic and that's what I say should be continued. It was started in 1920, you remember. This discussion started even before that. Now you want to change the whole set-up and change it to 1951, the effect of which would be to give greater representation to the people who have gotten into this country one way or another and who are now living in America. You must remember that this law doesn't say citizens of America; it says inhabitants of America.

Mr. Back: May I look for clarification once again? Senator Smith, are you saying then ultimately that

if the quota should be changed to something like the proposal of Dr. Shuster that would mean admitting too many people from Southern and Eastern Europe who haven't earned the right to come in in greater numbers?

Senator Smith: I don't put it that way, Mr. Back.

Mr. Back: Do you feel it is discrimination?

Senator Smith: No. I feel it is a discrimination against Americans here now who came from other national origins and other national races. The discrimination would be against them. What Dr. Shuster wants to do is to change the rules of the game in the middle of the game.

Dr. Shuster: No, I just want to point out that we are playing a totally different game in the year 1950 than the one we played in 1920. (*Applause*) Back in 1920, you recall for example, we also played football but we didn't have any forward passes.

Mr. Back: Well, I think we have just about exhausted that point. So let's turn to a discussion of what the McCarran-Walter Act has meant overseas. Both of you have been overseas and you have gotten the opinions of Europeans on the type of law we have. Do you want to take that first, Senator Smith?

Senator Smith: May I mention one thing? I might say as to who sponsored this Act, much has been said about Senator McCarran. He is one of the grandest gentlemen I have ever known. The Immigration and Naturalization Service of the United States, the Department of Justice, the visa division of the State Department, the Central Intelligence Agency, over 100 patriotic, civic, and religious groups have studied this for five years

with the Senate and House committees. Included in that group are the American Legion, the Veterans of Foreign Wars, the National Catholic Welfare Conference, the Japanese American Citizens League, the American Federation of Labor, and many others.

Now under this system, we haven't been niggardly about immigration to America. All you've got to do is to look at the list about immigration, which you can get in any copy of the *World Almanac* or any one of those books, and you will see that through the years we have taken millions upon millions of people into our midst. Some of them have been good; some of them have been bad. Let's continue the policy of fairness to all the nations of Europe as we started out in 1924 under the quota system then worked out. (*Applause.*)

Mr. Back: Thank you, Senator Smith. I want to go back to my point again. Dr. Shuster, what has been the effect of the McCarran-Walter Act, as you have seen it?

Dr. Shuster: Well, the effect of McCarran-Walter Act is hardly discernible as yet. What we can talk about are the effects of provisions which we made in the Act. Now as I said at the outset, in some respects this Act is an improvement. I am going to say something about the things I think ought to be changed in it. First, I think that if you look at the situation realistically, may I say this, the Senator has referred to all kinds of people who have been working on this bill. This is the report of the hearings of the President's Commission on the McCarran-Walter Act, and I point out that this is a good sized book. Those who testified include all the religious organizations of the

United States, all the labor organizations, even all the businessmen's groups, etc., etc. There are only about five people in the whole book who approve of the McCarran-Walter Act, and two of those I don't think Senator Smith would want to be seen in the dark with.

Senator Smith: Well, there are some of the other crowd I wouldn't want to be seen in the dark with either.

Mr. Back: Well, let's raise this question. President Eisenhower has suggested some changes. Go ahead, Senator.

Senator Smith: Well now about President Eisenhower. Of course, President Eisenhower hasn't read his book or my book or this law. He couldn't have possibly done it. Now this report was gotten up through hearings by President Truman's Commission in a period of a few months, while the people that worked on the McCarran-Walter Act had worked for five long years, and I know you could get people to go before a Congressional committee and say most anything. I challenge the accuracy of what is in this big book that Dr. Shuster presented, because that was a committee appointed on the spur of the moment to try to discredit this Act. You can look at the names on there and see what they say and you'll find out.

Mr. Back: Dr. Shuster, you know the commission that made this study. I think Senator McCarran said that they were voices of the left wing clique in the Senate. Who are these gentlemen?

Dr. Shuster: Well, I would not suppose that you would call, for example, the National Council of Churches, or the National Organization of the Lutheran Church, or the National Catholic Welfare Con-

ference, etc., etc., precisely subversive organizations. It seems to me that that is relatively dubious. Now then of all the people who testified, and I am going to express my own opinion on this, Senator, I think there are some people here now who knew very little about the whole business. Anybody who says that the McCarran-Walter Act is not a careful bit of legislation is talking through his hat.

Senator Smith: Doctor, thank you. Frank confession is good for the soul. (*Laughter.*)

Dr. Shuster: I am saying that not only is frank confession good for the soul, but I should think that even so illustrious a person as Senator McCarran might, if the evidence were convincing, decide that he too had made a mistake and that something ought to be changed. Now, let's go back to the question of what happens in Europe. There are two major things to be said. First, there is the question of how many people can we really admit to this country in view of the dire and desperate straits in which millions of people now live. Of course, we can't admit millions of people but we can . . .

Senator Smith: And we are going to discriminate between some that ought to come and others that ought to come, aren't we?

Dr. Shuster: We are going to select the best ones that we can find, and that is not so difficult. Now if you computed the total number of immigrants to be admitted on the same basis that you have in your act, namely, one sixth of one percent, but didn't believe that the world stopped moving in 1920 but conceded the fact that it kept on going until 1950, then you would admit to this country a total of about 250,000 people. Now all our agencies

which have dealt with immigrants during the past years know, have testified, and continue to insist, that they can take care of 250,000 very well. The security issue is another problem.

Senator Smith: Well, we are getting about 225 on the present Act. The quota is supposed to be 150, but it winds up that you take husbands and wives and children and what not, and I think the figures last year were over 200,000.

Mr. Back: Every week on Town Meeting we use a question submitted by one of our listeners. We want all of you to feel that you have an active part in this program, and we hope you will send us questions which you would like to hear the speakers discuss. This week, Mr. O. F. Diersen of Kansas City, Missouri, will receive a 20-volume set of the American People's Encyclopedia for the following question: "Taking into consideration the welfare and best interest of both the prospective immigrant and our country, what would be a fair and equitable criterion in determining our future immigration policy?" I know we have fairly well answered that, but

just a comment on that from you, Dr. Shuster, first.

Dr. Shuster: I think that the answer to that is a very simple one. Change the national origins quota system, use one-sixth of one percent of the census of 1950, and then there are no major difficulties.

Mr. Back: Senator Smith?

Senator Smith: I think that is a question that is impossible to answer. It depends upon what part of the country you are in, the study you make of the population, and the work and the living of the people in that particular section as to how many immigrants can be assimilated in America. I think that is the main question. We should not take any more than we can assimilate and amalgamate into real Americans. That's what we should take and no more and what that number should be, of course, it is quite impossible at this time to tell. I think we have taken in enough until we try further our present situation and try it out.

Mr. Back: Thank you, Senator Smith. I think you are probably going to get that question again from our audience. We are all set now to take questions from the floor. Here is the first question.

★

QUESTIONS, PLEASE!

Questioner: Dr. Shuster, should the Attorney General have more discretion in suspending deportation in certain deserving cases?

Dr. Shuster: Well, that is a question which is difficult to answer. I think I would say this, the issue of security is of major importance. It would be, in my opinion, easy to solve if you retained the whole process of immigration in the State Department and turned all prob-

lems of security over to the FBI. As things are now, the discretion accorded to the Attorney General is one of the most difficult things to exercise intelligently, and I think that here is a point at which the Act needs amendment, but I shall confess to you frankly that I don't know how it ought to be amended.

Mr. Back: Dr. Shuster, may I suggest that perhaps we might refer to the case recently of a man

of Finnish origin who I think had belonged to the Communist party very briefly. He paid some dues not knowing what he was doing and quite some years later it was determined under the McCarran-Walter Act that he had to be deported because of that brief membership. Is that what our question would be referring to?

Dr. Shuster: I think so. You have another very interesting situation of the same kind due to a visitor's visa denied to Graham Green because once upon a time in Oxford he had joined the Communist party over night. I want to give you . . .

Senator Smith: There's relief for those cases right now. That's been greatly misrepresented to the public, and it was greatly misrepresented last year. But there is relief for all persons who happen to get into the Communist party by reason of being a person who needed something to eat and had to have a bread card and didn't work as a real communist. There is a provision in the law now to take care of that. The trouble is the people don't know about it.

Mr. Back: I want to get on to other questions. Senator, thank you very much. Dr. Shuster, just another quick comment.

Dr. Shuster: Senator, I hope you won't take this amiss but one of the things I object to is the fact that the United States Senate exercises so much discretion in all these questions. If you know a Senator you can get by with almost anything. I am going to give you an example. A very distinguished professor, who happens to be a European, applied for a visa. He waited three months and nothing happened. Thereupon, the institution which invited him addressed petitions to the United States Sen-

ate—as a matter of fact, to two prominent members of that body. Ten days later he not only had one visa but two. Now I submit that there is something wrong.

Senator Smith: You mean he bought that? You used the word bought, Doctor. I think you ought to tell us what Senator they bought now.

Dr. Shuster: No, sir, I didn't use the word bought.

Senator Smith: You said that you can buy . . .

Dr. Shuster: Get by, I said.

Senator Smith: Get by? Oh, get by.

Dr. Shuster: I refuse to admit that anything in Washington is for sale. I mean that ought to be understood.

Questioner: To Honorable Senator Smith. If a little new republic like Israel can allow 200,000 a year immigrants, can't we as a large-area nation allow a much greater number?

Senator Smith: I think it depends upon what your objective in allowing them is. In the case of Israel, and of course I was over there a year and a half ago and I am very sympathetic with what they are trying to do, but I think that is an entirely different situation from what we are doing here in America. We have, are bound to have, our national origins of all the people to deal with, whereas Israel is attempting to build up a homogeneous people, and I think that makes a lot of difference, and besides, we all are in favor of helping Israel, and helping them to take care of some of the obligations being accrued over there.

Questioner: Dr. Shuster, does the McCarran Act recognize the principle that all men are innocent until they are proved guilty?

Dr. Shuster: Yes, I would say that it does. The problem of security is of course one which the question of innocence and guilt is sometimes very difficult to determine, but personally I am profoundly convinced that the security of the United States at this juncture is so important that it is very desirable that we be too severe rather than not severe enough. I do think that there are various ways in which the situation could be improved, and personally I think that if my system of organization were introduced it would improve things.

Mr. Back: I wonder if we could be specific on that? For example, do you approve of the matter that came up last December when shore leave was forbidden, or at least the question of shore leave came up in connection with the French ship *La Liberté* and some sailors couldn't go ashore for Christmas because they hadn't passed the requirements of the McCarran Act?

Dr. Shuster: Well, I would say there that one of the things that I think ought to be established is a committee of review which functions at the ports of entry as well as in the abstract. Now that would have been a very simple problem. Instead of creating all the international bad will that was created by excluding these people, a court or a board of hearings established for this purpose in the port city could have dealt with that issue very simply, and I regret that it wasn't done.

Senator Smith: Let me answer just one word on that. All that those men who wanted to come ashore had to do was to be their own judge and their own court and sign a statement saying, "I am not going ashore to commit subversive activities against America and I am

not a communist." That was all they had to say to go ashore. (*Applause.*)

Questioner: I have a question for Senator Smith. Senator, I would like to know in determining the matter of national quotas which is the stronger influence—world-wide human need or ease of assimilation?

Senator Smith: I think the question of the ability of the people to assimilate, to come to our shores having in mind that we want to create Americans and not have colonies of foreign nations on American soil. (*Applause.*)

Questioner: Senator Smith, should deportation be permitted for committing a minor offense or becoming a public charge when the alien has been a United States resident for many years?

Senator Smith: I do not think so, and I do not know of any case on record. There may be some. That was held up as a bugaboo, but I don't think there is a thing in the world to that contention.

Mr. Back: Under the law?

Senator Smith: Oh, no, people aren't deported for minor infractions of the law. Why, they said if you rode a bicycle too fast and exceeded the speed limit you would get deported, but of course there is nothing to that. The Attorney General wouldn't think about doing a thing of that sort.

Mr. Back: Thank you. We have to make it very short now.

Questioner: Mr. Shuster, do any other important nations have immigration restrictions?

Mr. Shuster: I know of no nation that does not have immigration restrictions.

Questioner: Senator Smith, does not the immigrant enrich the

country more than he takes from it?

Senator Smith: He may or he may not—depending upon the individual. I think the test has got to be on the individual.

Questioner: Senator Smith, I believe that many North European countries do not use their allotted quotas. Why are unused numbers not spread among the South European countries?

Senator Smith: That's been answered, I think.

Mr. Back: Let's go on to the next question. I think that was answered in the discussion.

Questioner: Senator Smith, does the McCarran-Walter Act make it easier for ex-Nazi's to come into this country where they can spread their poison and keep out good citizens from other countries?

Senator Smith: It does not!

Questioner: Senator Smith, if the Communist Party is a legal party in the United States, why are communists barred as immigrants to the United States?

Senator Smith: Because we want to deal only with those we have here now. "Sufficient unto the day is the evil thereof." (*Applause.*)

Mr. Back: Thank you very much, Senator Smith and Dr. Shuster, for your discussion and thanks to this fine audience for its questions. On behalf of Town Hall, we wish to express our appreciation to Mr. and Mrs. George M. Schofield, Co-chairmen, Mrs. A. Roger Kelley, President of the American Association of University Women, and Mr. John Karkas, as President of the Nyack Rotary Club. Thanks also for the outstanding co-operation by the host committee and the financial assistance of the industrial, labor, and business organizations of Nyack.

★

THE SPEAKERS' COLUMN

(Continued from page 2)

Science Research Council, Columbia University, and subsequently became first Acting President and then (1940) President of Hunter College.

Dr. Shuster is the author of many books in the fields of modern German history, English literature and religion. He is a frequent contributor to national magazines and to the book review sections of the *New York Times*, and the *New York Herald Tribune*, and is often heard on radio discussion programs.

His public service includes a number of periods of duty with the Department of State. He was a member of the department's General Advisory Committee, Division of Cultural Relations; a member of the U. S. Delegation to the Conference on International Education (1945); a member of the same delegation to the Paris UNESCO Conference (1946); and a member of the United States National Commission for UNESCO. More recently he was on leave for a period of eighteen months to serve as land commissioner for Bavaria under Mr. John J. McCloy.

Dr. Shuster is an active member of numerous civic and educational bodies on both the national and international levels.

FOR FURTHER STUDY OF THIS WEEK'S TOPIC

Background Questions

1. Can we afford to permit unlimited immigration into the United States?
2. If not, how many people can the United States absorb yearly?
 - a. Can we afford to admit more than the 154,657 a year, as provided by the Immigration and Nationality (McCarran-Walter) Act of 1952?
 - b. Is it true that our population cycle is slowing down and our age level rising, and that we face the possibility of labor shortages if our economy continues to expand?
3. If immigration must be restricted—according to what criteria should it be done? e.g. personal health, character and reliability, family relationships, political or religious persecutions, etc.
4. Evaluate the national quota system as the major principle governing our immigration policy.
 - a. It is said that the national origins system of allocating quotas is designed to preserve the nationality balance, as it compares with the general population of the U.S. Do you agree? If so, is this a desirable goal?
 - b. Are our present quotas based on the U.S. population of 1952, or some prior year?
 - c. Do present quotas discriminate against southern and eastern Europeans? Asians?
 - d. Are they unnecessarily large for northern and western Europeans?
 - e. Does the present quota system realistically meet the needs of the U.S. and the potential immigrants?
 - f. Should we pool all unused quotas to be distributed among more needy nationalities or groups of potential immigrants?
 - g. Currently, all quotas used under the Displaced Persons Act of 1948 are chargeable to the regular quotas for each nationality. Is this a desirable provision?
5. Does our immigration law discriminate against other races?
 - a. Does the recent removal of restrictions against Japanese, Koreans, Burmese, and Pacific islanders signify a more liberal attitude toward immigration of colored peoples?
 - b. Or, is this grant of nominal quotas to Asians a "too little and too late" gesture?
 - c. Should we determine the nationality of half-Asians on the basis of race, as the current law provides, or on the usual basis of country of birth?
 - d. Is the new provision limiting colonial quotas aimed at the Negroes of the British West Indies? Is this a desirable provision?
6. Can a nation successfully absorb indefinite numbers of persons of differing racial and cultural backgrounds?
7. How effective are the security provisions of our new immigration law?
 - a. Does it, with the Internal Security Act of 1950, provide adequate protection against subversion and espionage?
 - b. Many opponents of the McCarran-Walter Act claim that it leaves

too much power in the hands of administrative officials. Do you agree?

- c. Prior to the McCarran-Walter Act, any person who joined voluntarily the Nazi, Fascist, Falangist or Communist groups was barred from this country. Now there is only a flat ban against Communists. What is the purpose of this change?
8. Should our immigration law exclude aliens on the grounds that they committed ostensibly non-political crimes in opposition to a totalitarian regime?
9. Evaluate our regulations for deportation of aliens. Are they adequate, too weak, or too severe?
 - a. Are Immigration Service officers authorized to interrogate and search aliens without a warrant? If so, should this be permitted?
 - b. Are there sufficient guarantees that all persons subject to the immigration laws will get a fair hearing and review?
 - c. Is the division of duties regarding immigration and visitors visas between the State Dept. (issues or denies visas abroad) and the Justice Dept. (admits or excludes aliens at American ports) a desirable one?
 - d. Should deportation be permitted for committing a minor offense or becoming a public charge, when the alien in question has been a resident of the U.S. for many years?
 - e. Should deportation be permitted for engaging in any prescribed political activity in the U.S., when such activity was engaged in long ago and has been repudiated by the person in question?
 - f. Should the Attorney General have more discretion in suspending deportation in certain deserving cases?
10. What kind of distinctions does current legislation create between the native-born and naturalized citizens?
 - a. Should a naturalized citizen be subject to denaturalization on any other grounds than that he had obtained citizenship by fraud or illegality?
 - b. Should naturalized citizens have the same rights and privileges as native-born citizens? e.g. the right to invoke the Fifth Amendment, etc.
11. Is it consistent with the American legal traditions that the application of the penalty of deportation should be on a retroactive basis?
12. Are our visa regulations fair to our visitors? Are they unnecessarily restrictive?
 - a. Should visitors from foreign countries be required to submit to questions by an immigration officer concerning their political beliefs, personal behavior, etc.?
 - b. Recently, many distinguished scientists have claimed that our visa policy is hampering scientific progress in the U. S. Do you agree?
 - c. Should provisions for appeal from denial of visas by consular officers be established?
13. How do our immigration laws affect the effectiveness of our foreign policy?
 - a. In January, 1953, a bill was submitted to the French Parliament calling for retaliatory measures against seamen "of certain nationalities." To what extent have our immigration laws stimulated retaliatory acts and attitudes among our allies?
 - b. Is the U.S. capable of absorbing enough immigrants to make an effective dent in Europe's, or the world's, population problems?